

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:05-cr-171-LSC
)	
CALVIN ARTIS STEWART, JR.)	

UNITED STATES' MOTION FOR DOWNWARD DEPARTURE
FOR ACCEPTANCE OF RESPONSIBILITY

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and respectfully moves this Court to reduce by one (1) level Defendant's offense level based on Defendant's acceptance of responsibility. As grounds for this Motion, the United States avers as follows:

1. A grand jury sitting in the Middle District of Alabama returned an indictment against Defendant on August 3, 2005.
2. After appearing before this Court on August 25, 2005, Defendant notified the United States of Defendant's intent to plead guilty to Counts One and Two of the indictment sufficiently early to permit the government to avoid preparing for trial and to allocate its resources efficiently. Defendant pled guilty to Counts One and Two of the indictment on February 6, 2006.
3. Therefore, pursuant to United States Sentencing Guidelines § 3E1.1(b), as amended, the United States makes this formal motion for a one-level reduction in Defendant's offense level for acceptance of responsibility such that the total reduction in offense level for Defendant's acceptance of responsibility shall be three (3) levels.

WHEREFORE, the United States respectfully requests that this Motion be GRANTED.

Respectfully submitted this the 9th day of June, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: John Walker.

Respectfully submitted,

LEURA GARRETT CANARY
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